



# Legally Speaking

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## Westlaw Training Offered Nov. 4th

Westlaw and Advanced Westlaw training will be held Thursday, November 4th at the Stark County Law Library. The training is held on the computers in the library's computer room, and one CLE credit will be offered.

Session times are:

9:00 a.m. (advanced)

10:30 a.m.

1:00 p.m.

2:30 p.m.

Call the law library at (330) 451-7380 to register.

## Ordinances Available Online from Your Computer

Did you know that several area cities and townships now have their ordinances available online? Canton, Louisville, Hartville, Jackson Township and Perry Township ordinances are all just a few clicks away. There are links to these online ordinances from the law library's web site at:

<http://www.starklawlibrary.org/legallinksord.htm>. There are also links to the online ordinances of other Ohio cities and townships outside of Stark County on this web page. Of course, the law library still maintains print copies of the local ordinances.

THE LAW LIBRARY WILL  
BE CLOSED FOR THE  
FOLLOWING HOLIDAYS:

Veterans' Day  
Thursday  
Nov 11<sup>th</sup>

Thanksgiving Holiday  
Thursday  
Nov 25<sup>th</sup>  
& Friday  
Nov 26<sup>th</sup>

Christmas Holiday  
Friday  
Dec 24<sup>th</sup>

## Warrantless Search Based on Odor of Marijuana

The Fourth Amendment prohibits unreasonable search and seizures. Is this reasonable?

A common fact scenario involving warrantless searches of motor vehicle drivers is one in which a law enforcement officer, having detected the odor of marijuana emanating from a motor vehicle, its driver, or both, conducts a warrantless search of the driver's person.<sup>1</sup>

What about searches in cases other than motor vehicles?

Review cases addressing the validity of warrantless searches based on a law enforcement officer's detection of the odor of marijuana, as in the example or in conjunction with other factors not related to motor vehicles.

Read 122 ALR 5th 439 and the forthcoming 123 ALR 5th.



## New Books at the Library

*2003 International Fire Code*, KF3975 .I58  
2003  
*Employee Duty of Loyalty*, 2004 update,  
KF3197 .Z95 E47  
*Employment Law*, 3<sup>rd</sup> ed., KF3455 .E477 2004  
*Immigration Act of 1990 Today*, KF4808 .S55  
*Income Tax Regulations, Including Proposed  
Regulations, as of July 16, 2004*,  
KF6356.99 .C6 2004  
*Legal Aspects of Selling and Buying: Answers  
to Questions on Antitrust, Franchising,  
and Current Developments in Distribution  
Law*, KF1649 .L36  
*Ohio Estate Planning, Wills and Trusts  
Library: Forms and Practice Manual*  
(includes forms cd), KFO140 .A65 S44

*Ohio Juvenile Law*, 2004, KFO595.8  
.K89 2004  
*Ohio Real Estate Transactions*, 2004,  
KFO112 .Z9 W48 2004  
*Proceedings of the New York University  
Institute on Federal Taxation*,  
KF6296 .A2 N4  
*RIA's Complete Analysis of the Working  
Families Tax Relief Act of 2004:  
with Code Sections as Amended and  
Committee Reports*, KF6276.58  
.R5 2004  
*Vehicle Search Law Deskbook*, 2004,  
KF9630 .F48 2004  
*Working Families Tax Relief Act of 2004*,  
KF6276.59 .W67 2004

## Cancelled Books

The law library is experiencing a significant decrease in revenue, and the library's board has approved the cancellation of the following titles because of budgetary restraints. If you have any concerns about the cancellation of any of the titles below, please contact Kendel Croston at (330) 451-7380.

*Annuities Answer Book*  
*CCH Employee Benefits Management*  
*Encyclopedia of Matrimonial Clauses*  
*Eyewitness Identification*  
*Harvard Law Review*  
*Housing Discrimination Law and Litigation*  
*International Taxation in a Nutshell*  
*Judicature*  
*Law of Merchandise and Character Licensing*  
*Maine Rules of Court*  
*Managed Care Law Manual*

*Products Liability*  
*Retirement Planning, Tax and Financial  
Strategies*  
*RIA Estate and Gift Taxes*  
*Sixth Circuit Review*  
*Tax Planning for Transfers of Business  
Interests*  
*United States Supreme Court Digest*  
*University of Pennsylvania Law Review*  
*Federal Register (microfiche)*

## Footnotes

<sup>1</sup> "Search and Seizure: Warrantless Search Based on Odor of Marijuana - Driver's Person." ALR 5th Alert. Volume 122. Page 2.



## Periodicals of Interest...

### CORPORATE LAW

*"Up the Ladder: Litigator Responsibilities Under the Sarbanes-Oxley Act."* Litigation, Summer 2004, at 21.

### COURTS

*"ADR and 'The Vanishing Trial': What We Know - and What We Don't."* Dispute Resolution Magazine, Summer 2004, at 7.

*"Ake v. Oklahoma: The Right to Expert Assistance in a Post-Daubert, Post-DNA World."* 89 Cornell Law Review 1305.

*"Recalibrating Justiciality in Ohio Courts."* 51 Cleveland State Law Review 531.

### ESTATE PLANNING

*"Estate & Succession Planning."* Journal of Passthrough Entities, September/October 2004, at 9.

*"How Will Asset Protection of Spendthrift Trusts Be Affected By the UTC?"* 31 Estate Planning 478.

*"New Golden Rule for Partnerships: How to Handle FLP's in the Wake of Thompson and Kinbell."* Trusts & Estates, October 2004, at 20.

### LAW AND MEDICINE

*"Drugs, Alcohol, and Accidental Death Coverage."* 39 Tort Trial & Insurance Practice Law Journal 985.

*"Prosecution Backs Alternative to Prison for Drug Addicts."* Criminal Justice, Summer 2004, at 28.

*"Using Tort Law to Secure Patient Dignity."* Trial, October 2004, at 42.

### LAW FIRM MANAGEMENT

*"Hand in Hand with Your Lawyer."* Family Advocate, Summer 2004, at 12.

*"Protecting Your Clients' Interests in the Event of Your Disability, Death, or Other Disaster."* Experience, Summer 2004, at 16.

### LAW PRACTICE

*"Cross-Examining Adverse Parties: Dead Statutes Haunt Ohio Courts."* Ohio Lawyer, September/October 2004, at 6.

*"Homeland Security Creates Legal Jobs on the Cutting Edge."* Student Lawyer, October 2004, at 8.

*"Jury Instructions: A Road Map for Trial Counsel."* GPSOLO, September 2004, at 32.

*"Wanted: One Good Idea."* Law Practice Management, September 2004, at 28.

*"When Science Is on Your Side But You Lose Anyway."* The Brief, Summer 2004, at 54.

### TAX LAW

*"IRS Causes Emotional Stress, Must Pay Taxpayer."* 101 Journal of Taxation 191.

### TECHNOLOGY

*"In Google We Trust?: Critics Question How Much Judges, Lawyers Should Rely on Internet Search Results."* ABA Journal, October 2004, at 30.

*"Wireless Spam This Way Comes: An Analysis of the Spread of Wireless Spam and the Present and Proposed Measures Taken to Stop It."* 22 The John Marshall Journal of Computer and Information Law 229.

**All of the above cited publications are available in print at the law library.**

# Legally Speaking

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Stark County Law Library Association  
110 Central Plaza South, Suite 401  
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FAX (330) 451-7381  
<http://www.starklawlibrary.org>

## LOG ON TO OUR CATALOG 24/7

1. Open the telnet software on your computer (for example: HyperTerminal)
2. Enter a name for the connection (for example: Stark County Law Library)
3. In the host address line, enter: [sirsi.starklawlibrary.org](http://sirsi.starklawlibrary.org)
4. In the "connect using" box, choose TCP/IP
5. At the login prompt type "public" and at the password prompt type "public"
6. The program will then load, and this may take 1-2 minutes
7. Choose 1) Library Catalog
8. Follow the on-screen instructions to search for books by author, title or subject

Hours: Mon-Fri, 8:30am-4:30pm  
Phone (330) 451-7380  
FAX (330) 451-7381

### Stark County Law Library Association

110 Central Plaza South, Suite 401  
Canton, OH 44702  
(Located in the Stark County Office Building, Fourth Floor)

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Membership is complimentary for 1st year \$25 for the 2nd year and complimentary for 50th+ year.  
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**Reference services** for members by phone, fax and email are available.  
**Inter-library Loans** services for members are available. Charges vary.  
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